

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Abraham R. MATTHEWS et al.	Examiner: BRUCKHART, Benjamin
App. No.: 09/663,483	Group Art Unit: 2155
Filed: September 13, 2000	Conf. No.: 2761
For: SWITCH MANAGEMENT SYSTEM AND METHOD	Docket No.: FORT-000600

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR WITHDRAWAL OF ERRONEOUS NOTICE OF ABANDONMENT

Sir:

Applicant received a Final Office Action on October 18, 2007. A response was due on January 18, 2008, and Applicant timely responded on March 18, 2008 by way of a Response to the Final Office Action, a Notice of Appeal and a 3-Month Extension of Time. On June 4, 2008, Applicant received a Notice of Abandonment indicating that the Applicant had not timely filed a Response to the Advisory Action mailed April 11, 2008.

37 CFR 41.37 allows an Applicant to file an Appeal Brief within two months of filing a Notice of Appeal. Furthermore, this time period for filing an Appeal Brief is extendable for up to four months (37 CFR 41.37(e)). Therefore, the Notice of Abandonment is erroneous as Applicant is permitted until September 18, 2008 to file an Appeal Brief. The Applicant respectfully requests the erroneous holding of Abandonment to be withdrawn.

Dated: June 29, 2008

Respectfully submitted,

Hamilton, DeSanctis & Cha, LLP

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